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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
7

8 UNITED STATES OF AMERICA,
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10 Plaintiff,

11 v.

12 GUY W. PARKER,
13

Defendant.

2:08-cv-1200-LDG-LRL

ORDER

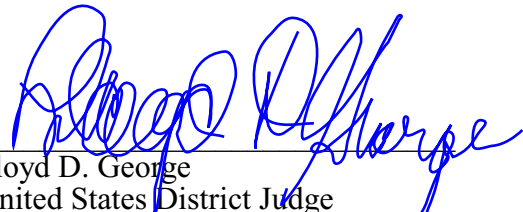
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15 By order dated September 24, 2009 (#65), this court granted the United States' motion for
16 summary judgment. In its order, the court rejected Parker's contention that the contracting officer
17 lacked authority, and determined that Parker had failed to raise an issue of fact regarding whether
18 the contracting officer's decision was final. By order dated September 24, 2010 (#83), the court
19 rejected Parker's motion for reconsideration based on the finality of the subject decision and
20 Parker's failure to appeal it. On that date, the court also entered final judgment in favor of the
21 United States (#84).

22 Parker has now filed a Rule 60(b)(4) motion to vacate final judgment for being void, and to
23 dismiss for lack of subject matter jurisdiction (#89, response #90, reply #92). Parker has not
24 demonstrated grounds for relief. The court has subject matter jurisdiction over this case pursuant
25 to 28 U.S.C. Furthermore, to the extent that Parker challenges the court's subject matter
26 jurisdiction based on the contracting officer's alleged lack of authority, that position was rejected
by this court twice before the entry of final judgment. The remaining contentions asserted in

1 Parker's Rule 60(b)(4) motion and motion to dismiss for lack of subject matter jurisdiction also
2 lack merit. Accordingly,

3 THE COURT HEREBY ORDERS that defendant Parker's Rule 60(b)(4) motion to vacate
4 judgment and to dismiss for lack of subject matter jurisdiction (#89) is DENIED.

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6 DATED this 31 day of October, , 2011.

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9 Lloyd D. George
United States District Judge